

### **REMARKS**

Applicant has considered the Office Action mailed on December 2, 2002, and the references cited therewith.

Claim 1 is amended, no claims are canceled, and claim 21 is added; as a result, claims 1-21 are now pending in this application. Detailed responses to the rejections of the Office Action are as follows:

#### **§112 Rejection of the Claims**

Claims 1-20 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Independent claim 1 has been amended to clarify the claim. It is respectfully submitted that the amendments are fully supported by the specification and no new matter has been added.

With regard to the assertion that it is unclear what is meant by a “user process,” Applicant references the specification at, but not limited to, page 2, line 6 – page 4, line 10.

Thus, Applicant respectfully requests reconsideration and withdrawal of the 35 USC § 112, second paragraph rejection of independent claim 1 and dependent claims 2-20.

#### **§101 Rejection of the Claims**

Claims 1-20 were rejected under 35 USC § 101 because they lack patentable utility. The Office Action states that claims 1-20 only claim the manipulation of data but perform no concrete, useful or tangible result and that this rejection can be overcome by claiming the output of data in a tangible form such as a report.

Applicant respectfully traverses, however, Applicant has made amendments to independent claim 1 to clarify the recited subject matter. Claim 1 now recites in part:

“ . . . processing data access requests in accordance with a defined access scheme such that the client representative can access only data items associated with an account belonging to that client to allow remote review and reporting of the account data items.”

Applicant respectfully submits that the amendment provides clarification and requests reconsideration and withdrawal of the 35 USC § 101 rejection of independent claim 1. Applicant repeats the discussion above for independent claim 1 in support of the patentability of dependent claims 2-20.

*§103 Rejection of the Claims*

Claims 1-20 were rejected under 35 USC § 103(a) as being unpatentable over Smith (U.S. Patent No. 5,822,400, "Smith") in view of Goode et al. (U.S. Patent No. 6,163,272, "Goode").

The rejection asserts that the subject matter taught by Smith could be combined with Goode to provide the recited subject matter of claim 1, however, this assertion and the combination of Smith in view of Goode is respectfully traversed as follows.

The present method includes, among other things, processing credentials to authenticate the remote user as a client representative and processing data access requests in accordance with a defined access scheme such that the client representative can access only data items associated with an account belonging to the client to allow remote review and reporting of the account data items.

In contrast to the recited subject matter, Smith relates to a call record scheduling system and Applicant is unable to find in the rejection or in Smith a teaching or suggestion of the recited authentication and defined access scheme. The rejection relied on Goode for teaching a defined access scheme and asserts that "it would have been obvious to one having ordinary skill in the art at the time the invention was made to control access to account information of Smith with the plurality of access tiers with ID authentication of Goode et al., in order to verify and control access to information for security purposes." Applicant respectfully traverses this combination and assertion because it is respectfully submitted that there is no incentive in Smith to provide such access control. Indeed, it is respectfully submitted that Smith teaches away from a system that incorporates remote users having separate data in a database. In contrast to the recited subject matter, Smith does not provide access to remote users having different accounts.

Applicant further submits that the assertion amounts to a form of official notice that is unsupported by a reference to teach or suggest such a combination. As such, the assertion is timely traversed under M.P.E.P. 2144.03 and a reference supporting the assertion or its withdrawal is respectfully requested in the next official communication.

Applicant respectfully traverses the rejection and requests reconsideration and allowance of the claims.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612-373-6912) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By his Representatives,

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Date

May 2, 2003

By

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 2<sup>nd</sup> day of May, 2003.

Name

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